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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010361142026

+ **W.P.(C) 11212/2026 & CM APPL. 54270/2026**

ADITYA VINOD SWAMI AND ANOTHERPetitioners

Through: Mr Manish Bishnoi, Sr. Adv; Mr
Sarthak Bhatia, Adv; Mr. Sahil, Adv; Mr
Chaitanya Madhav, Adv

versus

NATIONAL TESTING AGENCY AND OTHERSRespondents

Through: Mr. Sanjay Khanna, Ms. Pragya
Bhushan, Ms. Jaya Choudhary, Ms. Meemansa
Dixit, Mr. Naman Dwivedi, Mr. Saurabh Pandey,
Advocates for NTA/R-1

Mr. Ripu Daman Bhardwaj SPP with Kushagra
Kumar ADV for CBI/R-2

Ms Manisha Agrawal Narain, CGSC with Mr
Nipun Jain, Adv for UOI/R-3

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **24.08.2026**

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers :-

“a) Issue an appropriate writ, order or direction, more particularly a writ of Mandamus, directing Respondent No.



1 to forthwith declare/release the NEET (UG) 2026 (Re-NEET) Result of the Petitioners in respect of Application No. 260410297466 and Roll No. 3109108263 (Petitioner No. 1), and Application No. 260410339089 and Roll No. 3109101261 (Petitioner No. 2), within such time as may be stipulated by this Hon'ble Court;

b) In the alternative, issue an appropriate writ, order or direction directing Respondent No. 1 to decide and dispose of the Petitioners' replies dated 16th July 2026 to the Show Cause Notices issued under File No. 19/NTA/NEET(UG)/2026, by way of a reasoned and speaking order, within a time-bound manner as may be stipulated by this Hon'ble Court, and to declare the Petitioners' results forthwith upon such disposal, save and except where an adverse finding of unfair means is duly and lawfully recorded against a Petitioner after due process;

c) Issue an appropriate writ, order or direction directing Respondent No. 1 and the Respondent No.4 to permit the Petitioners to register and participate in the NEET (UG) 2026 counselling process, including the MCC counselling process for 15% All India Quota and Deemed/Central Universities/AIIMS Institutions/JIPMER, notwithstanding the present status of their results, subject to the declaration of their NEET (UG) 2026 results and subject further to the outcome of the proceedings relating to the Show Cause Notices, to ensure that the Petitioners are not deprived of



*their opportunity to participate in the counselling process on account of the pendency of the present proceedings;
d) Award the costs of the present writ petition in favour of the Petitioners and against the Respondents.....”*

2. Mr. Khanna, learned counsel for respondent No. 1, states that the counter is yet to be readied and will be filed within 4 weeks from today.
3. List on 08.01.2027.
4. The earlier date fixed for hearing i.e. 03.09.2026 stands cancelled.

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5. This is an application filed under Section 151 CPC, 1908, seeking ad-interim ex-parte order directing respondent No. 1 to declare/release the petitioners' NEET (UG) 2026 Result, or, in the alternative, to permit the petitioners to provisionally register, fill choices, and participate in Round-1 (and subsequent rounds, as applicable) of the ongoing NEET (UG) 2026 counselling process being conducted by the Medical Counselling Committee.
6. The brief facts of the case are that the petitioners participated in NEET (UG) 2026, which was conducted on 03.05.2026. On account of the alleged paper leak, which was widely reported, the examination was cancelled and the petitioners thereafter participated in the Re-NEET (UG) 2026.
7. The CBI conducted an investigation into the alleged leakage of the question paper and, upon completion of the investigation, filed a charge-sheet in which the petitioners have been named not as accused but as witnesses. Thereafter, respondent No. 1/NTA issued show-cause notices dated 05.07.2026 to the petitioners and withheld their results in Re-



NEET (UG) 2026. The present application has, accordingly, been filed seeking interim relief.

8. For the said reasons, issue notice.

9. Mr. Khanna, learned counsel accepts notice for respondent No. 1, Mr. Bhardwaj, learned SPP, accepts notice for respondent No. 2 and Ms. Narain, learned CGSC, accepts notice for respondent No. 3.

10. There is nobody appearing on behalf of respondent No. 4.

11. In view of the urgency the matter is taken up for hearing.

12. Mr. Khanna, learned counsel appearing for respondent No. 1/NTA, submits that the CBI, *vide* its letter dated 15.06.2026, had informed the NTA that several candidates had allegedly received/shared the question paper of 03.05.2026 and, on that basis, the results of the petitioners have been withheld.

13. Mr. Bhardwaj, learned Standing Counsel appearing for the CBI, submits that the petitioners had received the question paper of 03.05.2026 and, therefore, had the *mens rea* to commit the alleged illegality. He further submits that money was paid by the petitioners for obtaining the said question paper.

14. He further submits that the CBI has, in fact, taken a liberal view in the matter and has not arrayed any of the students concerned as an accused; all such students have been cited as witnesses in the charge-sheet.

15. I have heard learned counsel for the parties and have perused the material placed on record.

16. Admittedly, the petitioners have not been arrayed as accused in the charge-sheet filed by the CBI and have, instead, been cited as



witnesses. At this stage, therefore, the petitioners cannot be treated as persons against whom criminal culpability has been established or as having been found guilty of any illegality.

17. The charge-sheet filed by the CBI is yet to be tested in accordance with law, and the allegations contained therein would necessarily have to be established by leading appropriate evidence. The submissions advanced by learned Standing Counsel for the CBI are also based upon the findings contained in the charge-sheet, which are yet to be tested in trial. At this stage, therefore, no final conclusion can be drawn regarding the culpability of the petitioners.

18. The petitioners are at a nascent stage of their academic careers. In these circumstances, I am of the view that the withholding of their results, merely on the basis of allegations which are yet to be tested in accordance with law, would cause serious prejudice to them. The petitioners ought to be permitted to know their results and, subject to the outcome of the proceedings, participate in the further rounds of counselling conducted by the NTA. At best, the petitioners can only be charged for unfair means, which will be tested once the parties have led detailed evidence.

19. To deny the petitioners an opportunity to participate in the counselling process at this stage may result in consequences which cannot subsequently be adequately remedied.

20. For the aforesaid reasons, I am satisfied that the petitioners have made out a prima facie case. The balance of convenience also lies in their favour, and they are likely to suffer irreparable loss and injury if their results continue to remain withheld. Loss of an academic year or an



opportunity to participate in the counselling process may have consequences which cannot be adequately compensated in terms of money.

21. Accordingly, the results of the petitioners shall be declared within 24 hours from the time the present order is uploaded. On the basis of the results so declared, the petitioners shall be permitted to participate in the further rounds of counselling conducted by the NTA, subject to their otherwise fulfilling the applicable eligibility criteria.

22. The petitioners whose counselling results were not declared till now will be permitted to apply offline.

23. It is clarified that the present order shall not preclude the respondents from proceeding against the petitioners in accordance with law, if so warranted.

24. The application stands disposed of in the aforesaid terms.

25. *Dasti.*

JASMEET SINGH, J

AUGUST 24, 2026/NR